

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED LAND DEVELOPMENT CODE OF PALM BEACH COUNTY, FLORIDA AS FOLLOWS: ARTICLE 6 (ZONING DISTRICTS); PROVIDING FOR INTERPRETATION OF CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development and administrative regulations necessary for the protection of the public; and

WHEREAS, Palm Beach County Ordinance 92-20 provided for the adoption of the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida Statutes to further growth management requirements; and

WHEREAS, Chapters 125 and 163, Florida Statutes, grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated area of Palm Beach County; and

WHEREAS, the proposed amendments to the ULDC have been reviewed by the Citizens Task Force at public workshops and recommendations of the Citizens Task Force were forwarded to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners determines the proposed amendments will improve the procedures and standards of the Unified Land Development Code; and

WHEREAS, this amendment will clarify the provisions for sites to be monitored for RF emissions; and

WHEREAS, the Land Development Regulation Commission finds that this amendment to the Unified Land Development Code is consistent with the Comprehensive Plan; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

PART 1 The Unified Land Development Code of Palm Beach County is amended as follows:

SUBPART 1 Article 6, Section 6.4.D.22.c.(18), Zoning Districts, Supplementary Use Standards, Communication tower, commercial is amended to add and delete language as follows:

(18) Monitoring of emissions. All emissions, including radio frequency emissions and microwave emissions from ~~all~~ commercial communication panel antennas and towers shall be monitored to ensure compliance with standards established by the FCC. These sites shall be limited to towers, rooftops, and other facilities which accommodate cellular, PCS, and SMRS antennas.

Underlined language indicates proposed new language.

~~Language crossed out~~ indicates language proposed to be deleted.

... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as italicized with reference (6.4.D.35.a.) in parentheses.

PART 2. CAPTIONS: The captions, section headings, and section designations used in this ordinance are intended for the convenience of users only and shall have no effect in the interpretation of the provisions of this ordinance.

PART 3. REPEAL OF LAWS IN CONFLICT: All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of any conflict.

PART 4. SEVERABILITY: If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

PART 5. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE: The provision of this ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

PART 6. EFFECTIVE DATE: The provisions of this ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 18th day of May, 1999.

ATTEST: PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS
DOROTHY H. WILKEN
Board of County Commissioners

By: Deborah Dietz **Deputy Clerk** By: Mauda Ford Lee **Chair**

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 26th day of May, 1999, at m.

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OVERVIEW BY TOPIC

PART 1

SUMMARY OF AMENDMENTS:

Subpart 1 The amendment to Commercial communication towers will clarify the provisions for sites to be monitored for RF emissions.

IN ACCORDANCE WITH THE PROVISIONS OF THE ADA, THIS DOCUMENT MAY BE REQUESTED IN AN ALTERNATIVE FORMAT. AUXILIARY AIDS OR SERVICES WILL BE PROVIDED UPON REQUEST WITH AT LEAST THREE DAYS NOTICE. PLEASE CONTACT MAUREEN BARBER AT 561-233-5204.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 5/18/99
DATED at West Palm Beach, FL on 6/4/99
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.



CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA



Dorothy H. Wilken
Clerk

June 4, 1999

INTER-OFFICE COMMUNICATION

TO: Robert Weisman, County Administrator
Karen Miller, Clerk's Attorney
Betsy Barr, Legal Asst. County Attorney's Office
Robert Banks, Assistant County Attorney
Dawn Wynn, Assistant County Attorney
Howard Falcon, Assistant County Attorney
Barry Krischer, State Attorney
Joan Fowler, Asst. Attorney General
Joe Bradshaw, Attorney Sheriff's Office
John Lower, PZ&B
Dominic Sims, Executive Director, PZ&B
Barbara Pinkston-Taylor, Sr. Planner, PZ&B
Robert Ghianda, Bldg. Division Coordinator
Frank Duke, Planning Director
Leland M. Hodgkins, Jr., Zoning Director
4th Dist. Ct. Of Appeals Law Library
Law Library - PBC Courthouse
South County Law Library

(4) **County Library Serials Dept.**

James Titcomb, PBC League of Cities Inc. (G.C.-10th FL)
Code Enforcement
Consumer Affairs
Court Administration
Economic Development Office

FR: John W. Dame
Chief Deputy Clerk

RE: **PALM BEACH COUNTY ORDINANCE (S) CITED AS:**
ORD. 99-11 AMENDING ORD 92-20 ULDC CODE OF PALM BEACH COUNTY
99-12 VEHICLE FOR HIRE ORDINANCE
99-13 AD VALOREM TAXATION EXEMPTION
TIBOR, INC.*
99-14 AD VALOREM TAXATION EXEMPTION
VERSACHEM CORPORATION*

*Due to bulk only the Ord. is being distributed. If a copy of exhibits/attachments needed please call Minutes (2951) to request a copy.

The above ordinance (s), have been approved by the Board of County Commissioners, filed with Florida Department of State and forwarded to Municipal Code Corporation for codification

EFFECTIVE DATE: UPON FILING WITH DEPT. OF STATE OR OTHER DATE AS DIRECTED BY THE BOARD

Prior to distribution and publication, a proof copy of the supplement(S) should be provided to the County Attorney's Office for review and approval.

JWD:ph
cc: Honorable BCC Members
Honorable Dorothy H. Wilken, Clerk
Minutes

